

ORIGINAL

1 MARK FOWLER (Bar No. 124235)
 2 mark.fowler@dlapiper.com
 3 MICHAEL G. SCHWARTZ (Bar No. 197010)
 4 michael.schwartz@dlapiper.com
 5 DLA PIPER RUDNICK GRAY CARY US LLP
 6 2000 University Avenue
 7 East Palo Alto, CA 94303-2215
 Tel: 650.833.2000
 Fax: 650.833.2001
 8 Attorneys for Non-Party
 9 ZORAN CORPORATION

RECEIVED

E-filed 11/7/05

NOV 04 2005 16

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

10 AU OPTRONICS CORPORATION,
 11 Plaintiff,
 12 v.
 13 SHARP CORPORATION aka SHARP
 14 KABUSHIKI KAISHA, and SHARP
 15 ELECTRONICS CORPORATION,
 16 Defendants.

Misc. Action No. 05-MC-80235-JW (HRL)

Action Pending in the United States District Court
 for the District of New Jersey
 (Civil Action No. 04-5675 (WGB))

**STIPULATION AND [PROPOSED] ORDER
 REGARDING BRIEFING SCHEDULE FOR
 PLAINTIFF AU OPTRONICS
 CORPORATION'S MOTION TO COMPEL
 DISCOVERY FROM THIRD-PARTY ZORAN
 CORPORATION**

19 AND RELATED COUNTERCLAIMS

Date: December 6, 2005
 Time: 10:00 a.m.
 Judge: Hon. Howard R. Lloyd

21 The parties, by and through their respective counsel, hereby stipulate as follows:
 22 WHEREAS, on October 27, 2005, AU Optronics Corporation ("AUO") filed Plaintiff AU
 23 Optronics Corporation's Notice of Motion and Motion to Compel Discovery from Third-Party
 24 Zoran Corporation (the "Motion to Compel");

25 WHEREAS, when originally filed, the Motion to Compel was not noticed for a specific
 26 hearing date because a Miscellaneous Action Number and Judge had not been assigned before the
 27 motion was filed;

1 WHEREAS, on October 27, 2005, following service of the Motion to Compel, non-party
2 Zoran Corporation's ("Zoran") undersigned counsel informed AUO's counsel that he had a pre-
3 paid family vacation scheduled from November 5 – 12, 2005, and requested that such vacation be
4 considered when noticing the Motion to Compel for a hearing date;

5 WHEREAS, on November 1, 2005, AUO's counsel and Zoran's counsel discussed
6 hearing dates for the Motion to Compel, and Zoran's counsel agreed to a December 6, 2005,
7 hearing date and again requested briefing-schedule accommodations for his family vacation;

8 WHEREAS, on November 2, 2005, AUO filed AU Optronics Corporation's Notice of
9 Hearing On Motion to Compel Discovery From Third-Party Zoran Corporation, setting the
10 hearing for December 6, 2005, at 10:00 a.m.;

11 WHEREAS, the discovery cutoff date in the underlying action in the United States
12 District Court for the District of New Jersey has been set for December 31, 2005;

13 WHEREAS, AUO's counsel believes that moving the hearing on the Motion to Compel to
14 a date later than December 6, 2005 would subject it to great prejudice in the New Jersey action;

15 WHEREAS, to accommodate Zoran's counsel's vacation, the parties have agreed to
16 permit Zoran three additional days to file its papers in opposition to the Motion to Compel,
17 provided that AUO has at least seven calendar days after Zoran files and serves its opposition
18 within which to file AUO's reply papers and provided that the hearing for the Motion to Compel
19 remains scheduled for December 6, 2005, at 10:00 a.m.; and

20 WHEREAS, Zoran's opposition papers currently are due no later than November 15,
21 2005, and AUO's reply papers currently are due no later than November 22, 2005.

22 THEREFORE, pursuant to the parties' agreement and subject to the Court's approval
23 below, Zoran's opposition papers will be due no later than November 18, 2005, AUO's reply
24 papers will be due no later than November 28, 2005 (as seven calendar days falls on November
25 25, 2005, a Court holiday), and the hearing on the Motion to Compel will remain scheduled for
26 December 6, 2005, at 10:00 a.m. This Stipulation and Proposed Order pertains solely to AUO's
27 Motion to Compel Discovery from Third-Party Zoran Corporation. Nothing herein shall have
28 any effect on any deadline for filing briefing or other documentation in support of or in

1 opposition to any other motion filed under the above-captioned case number.
2

3 Dated: November 4, 2005

DLA PIPER RUDNICK GRAY CARY US LLP

4 By 

5 MICHAEL G. SCHWARTZ
Attorneys for Non-Party ZORAN CORPORATION

6 Dated: November 4, 2005

PAUL, HASTINGS, JANOFSKY & WALKER LLP

7 By 

8 MAXWELL A. FOX
9 Attorneys for Plaintiff AU OPTRONICS
CORPORATION

10 **ORDER**

11 PURSUANT TO STIPULATION, IT IS ORDERED THAT:

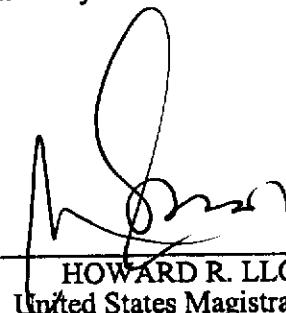
12 1. Zoran's papers filed in opposition to the Motion to Compel shall be filed and
13 served no later than November 18, 2005;

14 2. AUO's reply papers filed in support of its Motion to Compel shall be filed and
15 served no later than November 28, 2005;

16 3. The hearing on the Motion to Compel shall remain scheduled for December 6,
17 2005, at 10:00 a.m.; and

18 4. This Order pertains solely to AUO's Motion to Compel Discovery from Third-
19 Party Zoran Corporation. Nothing herein shall have any effect on any deadline for filing briefing
20 or other documentation in support of or in opposition to any other motion filed under the above-
21 captioned case number.

22
23
24 Dated: November 4, 2005


25 HOWARD R. LLOYD
United States Magistrate Judge